IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Crl.MC.No. 1070 of 2007()

PETITIONER:

SUO MOTU PROCEEDINGS
INITIATED UPON A COMPLAINT-PETITION RECEIVED FROM MR.A.T.RAJAN, C.NO.2903, CENTRAL PRISON, VIYYUR.

BY ADV. SUO MOTU

RESPONDENTS: RESPONDENTS
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1. **SUPERINTENDENT OF POLICE,**
   CENTRAL PRISON, VIYYUR.

2. **MR.REGHUPATHY,**
   RTD.DIG OF POLICE,
   C/O.POLICE HEAD QUARTERS,
   THIRUVANANTHAPURAM.

3. **STATE OF KERALA,**
   REPRESENTED BY DIRECTOR GENERAL OF PROSECUTION.

BY ADV. P.M.HABEEB (STATE BRIEF)
PUBLIC PROSECUTOR SRI.P.G.THAMPI

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

tss

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

CRL.M.C.NO.1070 OF 2007 (C)

Dated this the 26th day of September, 2007

O R D E R

KOSHY,J.

It is submitted that Sri.Rajan.A.T., C.No.2983, was in prison for 14 years, 2 months and 29 days imprisonment. It is also submitted that his wife is a cancer patient and he is not granted parole also. It was submitted on behalf of Government that on two occasions he was granted parole. He overstayed the parole granted on last occasion for 1645 days and finally he was arrested. In view of his long overstay of leave, it is not proper for the Court to issue a writ of mandamus to him to release him on parole but it is for the Jail authorities to consider his parole as per the rules on the criminal proceedings. His case should be referred to the Jail Advisory Committee. With the above observations, this Crl.M.C. is disposed of.

J.B.KOSHY, JUDGE

K.PADMANABHAN NAIR, JUDGE

prp

J.B.KOSHY & K.HEMA, JJ.

M.F.A.NO. OF 2006 ()

J U D G M E N T

11th September, 2007